

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DARRYL G. BOWMAN,

Plaintiff,

v.

CITY OF LAS VEGAS DETENTION  
CENTER,

Defendant.

Case No. 2:22-cv-00119-JAD-EJY

**AMENDED ORDER**

**I. DISCUSSION**

On January 21, 2022, Plaintiff, an inmate in the custody of the City of Las Vegas Detention Center, submitted an application to proceed *in forma pauperis* and a motion for preliminary injunction. ECF Nos. 1, 2. On January 27, 2022, this Court ordered Plaintiff to submit a complaint and a complete application to proceed *in forma pauperis* containing all three of the required financial documents to the Court on or before March 25, 2022. ECF No. 4. Thereafter, on February 7, 2022, the Court's January 27, 2022 Order was returned as undeliverable. ECF No. 7. Upon further review, it was determined that due to a clerical error, the Court's January 27, 2022 Order was incorrectly sent to Plaintiff at the Clark County Detention Center instead of to Plaintiff's correct address at the City of Las Vegas Detention Center, 3300 Stewart Avenue, Unit 41SO-339A, Las Vegas, Nevada 89101. Therefore, the Court amends its January 27, 2022 Order to give Plaintiff more time to comply. The Court directs the Clerk of the Court to update Plaintiff's address on the docket to the City of Las Vegas Detention Center, 3300 Stewart Avenue, Unit 41SO-339A, Las Vegas, Nevada 89101.

With respect to Plaintiff's initial filings at ECF Nos. 1, 2, Plaintiff has not submitted a complaint or a complete application to proceed *in forma pauperis*. Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is incomplete because the Financial Certificate is not signed by Plaintiff and a prison official. Plaintiff also failed to include his inmate account statement for the past six months with his application. Plaintiff's motion for preliminary injunction is not a complaint.

To proceed *in forma pauperis* under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, which allows an inmate who seeks to commence a civil action without prepaying the \$402 filing fee, the inmate must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. If Plaintiff has not been at the facility a full six-month period, Plaintiff must still submit an inmate account statement for the dates he has been present at the facility.

## II. ORDER

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court will update Plaintiff's address on the docket to the City of Las Vegas Detention Center, 3300 Stewart Avenue, Unit 41SO-339A, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice.

IT IS FURTHER ORDERED that Plaintiff must file a complaint on or before **March 28, 2022**.

IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

IT IS FURTHER ORDERED that Plaintiff must also file a complete application to proceed *in forma pauperis* containing all three of the required documents on or before **March 28, 2022**. Absent unusual circumstances, the Court will not grant any further extensions of time. A complete *in forma pauperis* application includes:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page 3),

1 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official  
2 (i.e. page 4 of this Court's approved form), and

3 (3) a copy of the **inmate's prison or jail trust fund account statement for the previous**  
4 **six-month period**. If Plaintiff has not been at the facility a full six-month period, Plaintiff  
5 must still submit an inmate account statement for the dates he has been present at the facility.

6 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved  
7 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled  
8 information and instructions for filing an *in forma pauperis* application.

9 IT IS FURTHER ORDERED that the Clerk of the Court will also send Plaintiff a copy of  
10 his motion for preliminary injunction (ECF No. 2).

11 IT IS FURTHER ORDERED that, if Plaintiff is unable to file a complaint and a complete  
12 application to proceed *in forma pauperis* with all three required documents or pay the \$402 filing  
13 fee for a civil action on or before **March 28, 2022**, this case will be subject to dismissal without  
14 prejudice. A dismissal without prejudice means Plaintiff does not give up the right to refile the case  
15 with the Court, under a new case number, when Plaintiff is able to file a complaint and has all three  
16 documents needed to submit with the application to proceed *in forma pauperis* or pays the \$402  
17 filing fee. Plaintiff is free to file a new case with the Court when Plaintiff is able to file a complaint  
18 and acquire all three of the documents needed to file a complete application to proceed *in forma*  
19 *pauperis*.

20 DATED this 25th day of February, 2022

21   
22 ELAYNA J. YOUCHAK  
23 UNITED STATES MAGISTRATE JUDGE  
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